

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 1:05CR080-P-D

ANTHONY CABANISS,

DEFENDANT.

ORDER

These matters come before the court upon Defendant Anthony Cabaniss' Petition for Bond Pending Appeal [142] and the Government's motion to strike the petition [144]. After due consideration of the motions, the court finds as follows, to-wit:

On April 18, 2008 the defendant filed a motion for release pending appeal. The court entered an Order denying the motion on April 25, 2008. The defendant was ordered to report to the Federal Bureau of Prisons on August 28, 2007. On February 14, 2008 the defendant filed a second motion to compel his lawyer to provide him with copies of his entire file. As with the first such motion, the court denied the second motion on February 20, 2008. In that Order, the court warned the petitioner to refrain from filing motions *pro se* since he is already represented by court-appointed counsel, Mr. Robert W. Davis, Jr.

Despite this court's warning and despite the court having already denied his first motion for bond pending appeal, Mr. Cabaniss filed another *pro se* motion, this time for an appeal bond, on June 20, 2008. The motion for an appeal bond should be dismissed on its merits and also for Mr. Cabaniss' failure to obey the court's previous orders. The defendant is instructed not to file any further *pro se* motions before this court as long as he is represented by counsel.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant Anthony Cabaniss' Petition for Bond Pending Appeal [142] is **DENIED**; and

(2) The Government's motion to strike the petition [144] is **DENIED AS MOOT**.

SO ORDERED this the 17th day of July, A.D., 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE